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CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:  
Date: June 29, 2004 Name: John C. Freeman Signature: [Signature]

BRINKS  
HOFER  
GILSON  
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Vladimir V. Protopopov

Appln. No.: 10/035,025

Filed: December 28, 2001

For: Dark-Field Phase Contrast Imaging

Attorney Docket No: 10544/169

Examiner: Elizabeth Marie Kearney

Art Unit: 2882

Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached are:

- ☒ Transmittal (in duplicate); Amendment Pursuant to 37 C.F.R. § 1.116  
☒ Return Receipt Postcard

Fee calculation:

- ☒ No additional fee is required.  
☐ Small Entity.  
☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).  
☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_).  
☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=			x \$18=	
Indep.		Minus			x 43=			x \$86=	
First Presentation of Multiple Dep. Claim					+\$145=			+\$290=	
					Total	\$		Total	\$

Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ is enclosed.  
☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.  
☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).  
☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

June 29, 2004  
Date: June 29, 2004

Respectfully submitted,

[Signature]  
John C. Freeman (Reg. No. 34,483)



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Name of Registered Representative:

John C. Freeman  
John C. Freeman, Reg. No. 34,483

June 29, 2004  
Date of Signature

PATENT  
CASE NO. 10544/169

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: )  
 )  
Vladimir V. Protopopov )  
 ) Group Art Unit: 2882  
Serial No.: 10/035,025 )  
 ) Examiner: Keaney, Elizabeth Marie  
Filed: December 28, 2001 )  
 )  
For: DARK-FIELD PHASE )  
CONTRAST IMAGING )

**AMENDMENT PURSUANT TO 37 C.F.R. § 1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Amendment is in response to the Office Action mailed April 29, 2004. The proposed Amendment is necessary and was not earlier presented because it responds to new objections to the claims and provides new arguments why the rejection based on obviousness-

type double patenting is improper. It is not believed that this Amendment will require further consideration from the Examiner to an extent that a new search need be performed. Furthermore, since the Amendment shows that the rejection based on obviousness-type double patenting is improper and the claims are in allowable form, the issues for appeal have been simplified. Accordingly, please amend claims 1, 2, 7, 10 and 19-22 as follows: